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June 19, 2000

DEPT. OF TRANSPORTATION

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SECRETARY RODNEY SLATER
DEPARTMENT OF TRANSPORTATION
400 7TH ST. S.W.
WASHINGTON, DC 20590

FMCSA-97-2350-18775

Re: Comments on the "Proposed Hours of Service for Drivers" Standard

Dear Secretary Slater:

I currently work for Con-Way Southern Express, a major LTL transportation company. I would like to comment on the proposed new rules for Hours of Service for truck drivers. Safety is something that I personally, and the company I work for pay close attention to.

I understand the importance of designing a rule for drivers that ensures that commercial truck drivers are well rested, which in turn will help make our highways safer. However, in reviewing these rules, it is my belief that in fact they may compromise safety.

My company and the trucking industry as a whole has an excellent safety record. In the decade from 1986 to 1996, the fatal accident rate for large trucks dropped 35%, while during the same period of time miles driven increased 40%. In the five-year period from 1989-1993, there was an average of 6.3 million traffic accidents annually. Of those accidents, the investigating police cited driver fatigue as a factor only 1.6% of the time. Of the approximately 100,000 fatigue-related accidents that occurred from 1989-1993, large trucks were involved in less than 4%.

I understand that the proposed rules would require a 50% increase in the number of trucks on our already crowded highways to keep the economy moving. This would translate into an additional 180,000 trucks, elevating the risk for many more serious accidents.

Our drivers already have difficulty finding adequate rest areas to pull over and sleep. These rules will make it worse. A 1996 study by the ATA and the Federal Highway Administration (FHWA) found a nationwide shortage of 28,000 public rest area parking spots for truck drivers. Though requiring more rest time for drivers, the Agency has not taken into account how and where the extra activity can take place, and certainly has not taken into consideration the possible 180,000 additional drivers on the highways. While attempting to manage driver fatigue on the highway, the agency has ignored the fact that there are no plans to fund the development of additional rest areas. Failure to solve the truck parking shortage would also pose significant risks to the traveling public by forcing tired drivers to continue driving or park on inherently dangerous locations such as ramps and shoulders.

Lastly, these rules will have a negative economic impact on my company, as well as my fellow coworkers and myself. The typical driver in our company will see an annual reduction of \$10,445.50 in earnings, while our company will see an additional operating cost of \$19,897,428 per year, further affecting the potential earnings of all employees. Unfortunately, the additional operating costs will eventually relate to higher prices for consumers, therefore, increasing overall economic inflation.

The impact to myself, family, coworkers and company will be overwhelming. As well, the impact to the American economy is likely to be huge. In 1997, over 60% of our nation's primary goods moved by truck. The proposed rules would force delivery systems that are structured for our new e-commerce economy back into old economies and efficiencies. I appeal to you to take a close look at the proposed rules and compromise a resolution that gives the trucking industry, our economy, and highway safety the real reform it deserves.

Thank you.

Respectfully,
ROBERT DOTTERER
3418 S 121st E Ave
Tulsa, OK 74146